

BRIGGS AND MORGAN

PROFESSIONAL ASSOCIATION

WRITER'S DIRECT DIAL

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WRITER'S E-MAIL

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RECEIVED

JAN 20 2004

PUBLIC SERVICE
COMMISSION

January 14, 2004

Kentucky Public Service Commission
P.O. Box 615
211 Sower Boulevard
Frankfort, KY 40602-0615

**Re: In the Matter of Petition of Nextel Partners for Designation as an ETC
Carrier in Kentucky
Case No. 2003-00143**

Dear Sir/Madam:

I am filing this letter on behalf of NPCR, Inc. d/b/a Nextel Partners ("Nextel Partners") in accordance with the Commission's Order dated December 1, 2003. In that Order, the Commission directed Nextel Partners to enter into a Confidentiality Agreement so that the ITG could view Nextel Partners' confidential responses to ITG information requests. The Order provided for a procedural schedule based on when an agreement was entered, and when responses were provided. Shortly after that Order was issued, Nextel Partners' local counsel filed a notice withdrawing from the case.

First, Nextel Partners apologizes for its failure to respond to the ITG motion dated November 10, 2003. I was not included on the service list for that motion, and was not aware that the motion had been filed until after the Commission's Order was issued. Please excuse Nextel Partners' failure to respond as inadvertence and not in any way as a disregard of this Commission's procedures or the ITG's requests to obtain information.

Immediately upon receiving the Order, I contacted Mr. Ingram and discussed entering into a Confidentiality Agreement. On December 11, 2003, I transmitted by facsimile and U.S. mail a proposed protective agreement to Mr. Ingram and Mr. Liebman, and asked for their comments and/or signature. I received approval from Mr. Liebman on January 5, and comments and requested changes from Mr. Ingram on January 7, 2004.

I have incorporated Mr. Ingram's comments and changes and have provided a revised agreement and the Confidential Information previously filed to Mr. Ingram and Mr. Liebman. They received this information by Federal Express on January 14, 2004. I believe that the parties

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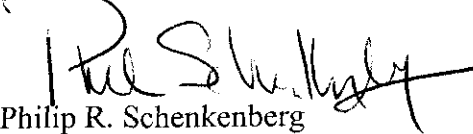
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can now proceed in accordance with the timeline set forth in the Commission's December 1 Order.

Please also note that Nextel Partners has retained replacement local counsel in this matter: Mr. James Park and Mr. Keith Moorman of Frost, Brown, Todd LLC have entered an appearance and will be representing Nextel Partners for the balance of this proceeding.

Thank you again for your consideration. We look forward to a prompt resolution of this docket.

Very truly yours,



Philip R. Schenkenberg

PRS/smo

Enclosures

cc: Counsel of Record on Service List

AFFIDAVIT OF SERVICE BY MAIL

RECEIVED
JAN 20 2004
PUBLIC SERVICE
COMMISSION

STATE OF MINNESOTA)

) ss.

Court File No. 2003-00143

COUNTY OF RAMSEY)

Philip R. Schenkenberg, being first duly sworn, deposes and states that on the 14th day of January, 2004, he served the attached LETTER TO KENTUCKY PUBLIC SERVICE COMMISSION REGARDING CONFIDENTIALITY AGREEMENT upon:

Elizabeth Schofield Brown
Corporate Counsel
Nextel Partners, Inc.
13405 Eastpoint Centre Drive
Suite 100
Anchorage, KY 40223

Stephen R. Byars
Director, Regulatory & Governmental
AllTel Kentucky, Inc.
P.O. Box 1650
Lexington, KY 40588-1650

Joan A. Coleman
Vice President/Regulatory & External
BellSouth Telecommunications, Inc.
601 West Chestnut Street
Room 410
Louisville, KY 40203

W. Allen Gillum
Mountain Rural Telephone Coop. Corp.
d/b/a Mountain Telephone Long
Distance
405 Main Street
P.O. Box 399
West Liberty, KY 41472-0399

Jeff Handley
Manager – External Affairs
Lewisport Telephone Company, Inc.
c/o TDS-Telecom Southeast Division
9737 Cogdill Road
Suite 230
Knoxville, TN 37932-3374

Lindsey W. Ingram, Jr.
Stoll, Keenon & Park, LLP
300 West Vine Street
Suite 2100
Lexington, KY 40507-1801

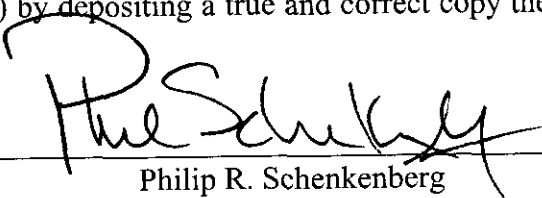
Ronald J. Jarvis
Catalano & Plache, PLLC
3221 M Street N.W.
Washington, D.C. 20007

James Dean Liebman
Liebman & Liebman
403 West Main Street
P.O. Box 478
Frankfort, KY 40602

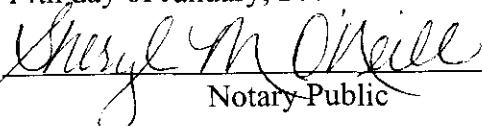
Donald J. Manning
Vice President and General Counsel
NPCR, Inc. d/b/a Nextel Partners, Inc.
4500 Carillon Point
Kirkland, WA 98033

R. Keith Moorman
Frost Brown Todd LLC
2700 Lexington Financial Center
250 West Main Street
Lexington, KY 40507-1742

(which is the last known address of said parties) by depositing a true and correct copy thereof in the United States mail, postage prepaid.


Philip R. Schenkenberg

Subscribed and sworn to before me this
14th day of January, 2004.


Notary Public

